

IN THE SEVENTH CIRCUIT COURT FOR DAVIDSON COUNTY
PROBATE DIVISION

FILED

2010 AUG 24 PM 11:03

RICHARD R. ROOKER, C

IN THE MATTER OF:

THE CONSERVATORSHIP FOR:
JEWELL TINNON

KIM AND TERRY PATRICK

Petitioners.

NO. 10P.1323 lyackin

**EMERGENCY PETITION TO APPOINT TEMPORARY CONSERVATOR AND
APPLICATION FOR RESTRAINING ORDER**

The Petitioners, Kim Patrick and Terry Patrick would show to the Court the following matters:

1. **PETITIONER:** Kim Patrick and Terry Patrick are the Petitioners in this matter. They are the grandchildren and closest living heirs of Jewell Tinnon the respondent.

2. **RESPONDENT:** The Respondent is Jewell Tinnon, the elderly grandmother of the Petitioners in this matter. The Petitioners are without access to sufficient information in which to provide all statistical information for Jewell Tinnon. Ms. Tinnon has been either admitted into or placed in Donelson Care and Rehabilitation Center, her current address is 2733 McCampbell Avenue, Nashville Tennessee 37214. Upon information and belief, the social worker at Donelson Care and Rehabilitation Center is Chris Tate. Donelson Care and Rehabilitation Center is being provided notice of this proceeding and emergency hearing. The Respondent does receive a monthly check. Upon information and belief that monthly check and respondent's bank statements are being removed from the respondents mailbox by Beverly Chapman and Michael Chapman.

3. **DESCRIPTION OF DISABILITY:** The respondent was recently hospitalized at Baptist Hospital with hallucinogenic complaints of “seeing bugs” and stating that “bugs and other insects were crawling on and around her.” The Peitioners have been prohibited from obtaining specific medical information about their grandmother, and have been told by Donelson Rehabilitation Facility that Beverly Chapman is the respondent’s granddaughter, and Ms. Chapman has been allowed the authority to make decisions on behalf of the respondent. The Petitioners state that Beverly Chapman is not the granddaughter of the respondent. The Petitioners were first aware that the respondent was incapable of handling her own affairs when Terry Patrick received a call from the respondents’ insurance agent stating that the respondent had not been paying her insurance premiums and this was very uncharacteristic or the respondent.

4. **REASON FOR APPOINTMENT AND IMMEDIATE GOALS:**

It is the immediate goal of the Petitioners to stabilize and protect the emotional and financial condition of their grandmother. They desire that someone be appointed to protect the interest of their grandmother and enjoin and restrain Beverly Chapman and Michael Chapman from making any healthcare decisions or financial decisions on behalf of their grandmother Jewell Tinnon.

5. **IDENTIY OF PETITIONER AND NEXT OF KIN:** The Petitioners are the natural grandchildren of the proposed ward. The mailing address for the Petitioners is as follows:

Kim and Terry Patrick
3109 Curtis Street
Nashville TN 37218

Ms. Tinnon is a widow, and her only child was James Patrick the father of the Petitioners. James Patrick is deceased. The ward does have one living sibling and her name and address are as follows:

JoAnne Gaye
4108 Elena Way
Woodstock Georgia 30188

6. **REASON FOR SEEKING APPOINTMENT OF CONSERVATOR:**

The Petitioners contend that the respondent suffers from advanced age and several other medical conditions that impair her ability to make logical and rational decisions. Further, it is evidenced that the Respondent is being influenced by Beverly Chapman and Michael Chapman who have developed a recent relationship with the respondent.

7. **PROPOSED CONSERVATORS:** The Petitioners request that they be appointed as The Temporary Emergency Co-Conservators in this matter. If after investigation by the Guardian Ad Litem, the Respondents are without sufficient ability to handle the duties of the Conservatorship, the parties are in agreement to have the Court make an independent appointment of a fit and proper Conservator.

8. **REQUEST FOR APPOINTMENT, WAIVER OF BOND AND RIGHTS TO BE REMOVED;** The Petitioners specifically requests that that Court appoint them as the Temporary Emergency Co-Conservators of Jewell Tinnon to manage the Person and Estate of the RESPONDENT, as well as her personal affairs, financial affairs, health decisions and any other matters that may properly come into their domain and, particularly, be able to make decisions selecting the appropriate medical treatment and care for the RESPONDENT. That the rights of deciding medical care and treatment, to contract and to enter into purchases, right to dispose of property, right to marry, right to obtain a Tennessee drivers license or drive, and to handle her financial affairs shall be removed from Respondent pending further Orders of the Court.

9. **ASSETS;** The Respondent owns a residence at 1301 Southside Circle, Nashville Tennessee 37212. Upon information and Belief the respondent has additional assets in banking and investment accounts.

10. **GUARDIAN AD LITEM:** That the court appoints a Guardian Ad Litem to perform a thorough investigation into the matters as alleged.

11. **NOTICE:** The Petitioners shall provide Notice of this proceeding to the following parties:

JoAnne Gaye Sister of Respondent
4108 Elena Way
Woodstock Georgia 30188

Respondent
Jewell Tinnon- Via Facsimile: 615.889.4191
C/o Chris Tate
Donelson Care & Rehabilitation
2733 McCampbell Avenue
Nashville TN 37214

Beverly & Michael Chapman
C/O Beverly Chapman's Employer
Glenwood School
308 E. Thompson Lane
Nashville TN 37211-2616

12. **IMMEDIATE NEED FOR APPOINTMENT AND ISSURANCE OF RESTRAINING ORDER:** It appears that Beverly Chapman has identified and is holding herself out to be the granddaughter of the respondent, and under such presumption she has exerted authority to place the respondent in a long-term care facility and is making healthcare decisions on the respondent's behalf. Further, it appears that Beverly Chapman and Michael Chapman are removing the respondent's checks and banks statements from her mailbox so that nobody can review the respondent's financial information. It is the belief of the Petitioners' that the respondents' money may be improperly used. Petitioners are fearful that Beverly Chapman and Michael Chapman or other persons or entities may be attempting to obtain dominion over the respondent and her property and is fearful that unless restrained ex parte that the said Beverly Chapman and Michael Chapman may attempt to take advantage of the Respondent unless restrained by order of this Court. Petitioners have no other adequate remedy at law or equity and

irreparable harm will occur unless a restraining order is issued restraining Beverly Chapman and Michael Chapman from interfering with the person and property of Jewell Tinnon. Further, Petitioners request that Beverly Chapman and Michael Chapman be enjoined and restrained from coming about the person of Jewell Tinnon for the purposes of harassment, undue influence or interfering with her quiet enjoyment of life pending further Orders of this Court.

PETITIONER PRAYS THAT:

1. The Court set a hearing on this Petition and, at that hearing either appoint Kim Patrick and Terry Patrick as the Temporary Emergency Co-Conservators or, alternatively, to appoint an appropriate person or organization to serve as Temporary Conservator of the Respondent Jewell Tinnon.

2. Service of process issue to the Respondent in accordance with the Tennessee Rules of Civil Procedure.

3. That bond be reserved pending a final hearing in this matter.

4. That a guardian ad litem be appointed to investigate the matters set forth in this Petition and make a recommendation to the Court regarding the appropriate action for the appointment of Conservator.

5. That a Property Management Plan be deferred until such time as Respondent's estate can be determined.

6. That the Court issue the Restraining Order as prayed for herein, enjoining and restraining Beverly Chapman and Michael Chapman from contacting the Petitioners' or Respondent's for purposes of harassment or from interfering with their quiet enjoyment of life or from discussing with them, the issues raised in this Petition, pending further Orders of this Court.

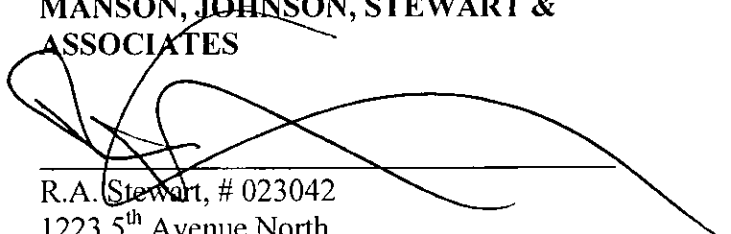
7. That Beverly Chapman, Michael Chapman and any other party be restrained from making any additional healthcare decisions on behalf of the respondent, and that Beverly Chapman and Michael Chapman be restrained from conducting any financial business on behalf of the respondent.

8. That the Court enter such additional order as may be deemed appropriate for the circumstances.

THIS IS THE PETITIONERS FIRST APPLICATION FOR EXTRAORDINARY RELIEF IN THIS MATTER.

Respectfully Submitted,

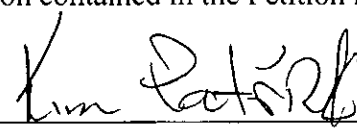
**MANSON, JOHNSON, STEWART &
ASSOCIATES**



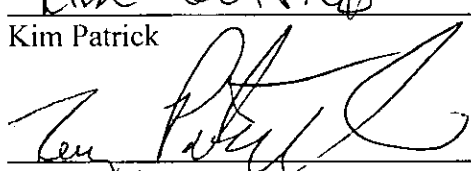
R.A. Stewart, # 023042
1223 5th Avenue North
Nashville TN 37208
(615) 254-1600

OATH

I, Kim Patrick and Terry Patrick, hereby certify that I have read the foregoing Petition for Appointment of Conservator and the information contained in the Petition is true and correct.



Kim Patrick

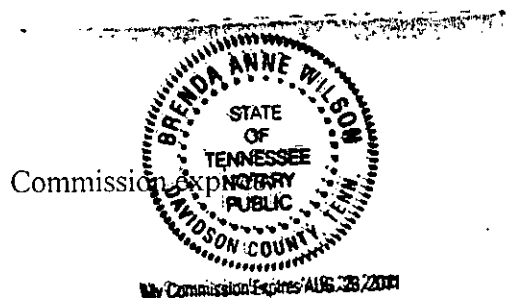


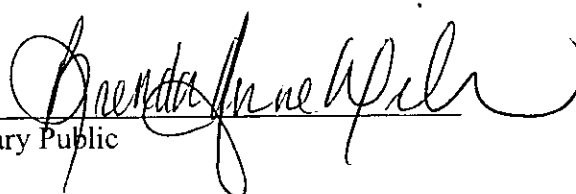
Terry Patrick

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public for said County and State, the within named Kim Patrick and Terry Patrick, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee this 19th day of August, 2010.




Notary Public

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